
**IN THE UNITED STATES DISTRICT COURT
SOUTHERN REGION FOR THE DISTRICT OF UTAH**

PHIBRO BIODIGESTER, LLC,
Plaintiff,

vs.

MURPHY-BROWN LLC,
Defendant/Counterclaim Plaintiff

vs.

PHIBRO BIODIGESTER, LLC,
Counterclaim Defendant.

**ORDER GRANTING STIPULATED
MOTION TO AMEND SCHEDULING
ORDER**

Case No. 4:22-cv-00050-AMA-PK

Judge: Hon. Judge Ann Marie McIff Allen

Magistrate Judge: Hon. Paul Kohler

IT IS HEREBY ORDERED, that the Stipulated Motion to Amend the Scheduling Order¹ is GRANTED in the above-captioned matter. The new deadlines are as follows:

****ALL TIMES 11:59 PM UNLESS INDICATED****

¹ Docket No. 162, filed August 26, 2024.

2. DISCOVERY LIMITATIONS	NUMBER
a. Maximum number of depositions by Plaintiff(s):	<u>10</u>
b. Maximum number of depositions by Defendant(s):	<u>10</u>
c. Maximum number of hours for each deposition (unless extended by agreement of parties):	<u>7</u>
d. Maximum interrogatories by any party to any party:	<u>25</u>
e. Maximum requests for admissions by any party to any party:	<u>10</u>
f. Maximum requests for production by any party to any party:	<u>50</u>
g. The parties shall handle discovery of electronically stored information as follows:	

Discovery shall comply with the provisions of Rule 34 of the Federal Rules of Civil Procedure. All costs of converting the format of any electronic data to another electronic format or from printed format to electronic format shall be borne by the producing party unless otherwise agreed. Productions will include electronic native files or single-page Tiff images with extracted metadata, color for color, with document level OCR and standard DAT and OPT load files with the metadata fields, below if available and/or applicable.

BegDoc	LastDateModified
EndDoc	Subject
BegAtt	Company
EndAtt	FileName
AttachRange	Email To
Attachment_ID	Email From
ParentID	Email CC
MD5Hash	Email BCC
Custodian	Email_Subject
Source	ReceivedDate
Title	ReceivedTime
Author	SentDate
DateCreated	SentTime

Notwithstanding the foregoing, any party may request that the responding party provide specifically identified documents in such document's native electronic format provided that the requesting party sets forth a reasonable basis for requesting the document in native format. Nothing shall limit a responding party's right to object to the production of documents on the basis that the request is overbroad, unduly burdensome, electronic documents are not readily available because of undue burden or cost, duplicative, or any other valid objection.

- h. The parties shall handle a claim of privilege or protection as trial preparation material asserted after production as follows: *Include provisions of agreement to obtain the benefit of Fed. R. Evid. 502(d).*

The parties agree to adhere to the provisions contained in the Court's Standard Protective Order dealing with claims of privilege or protection.

- | | | |
|----|--|------------------|
| i. | Last day to serve written discovery: | <u>8/31/2024</u> |
| j. | Close of fact discovery: | <u>9/30/2024</u> |
| k. | (optional) Final date for supplementation of disclosures and discovery under Rule 26(e): | <u>9/30/2024</u> |

3. AMENDMENT OF PLEADINGS/ADDING PARTIES¹

DATE _____

- a. Last day to file Motion to Amend Pleadings: 02/15/2024
- b. Last day to file Motion to Add Parties: 02/15/2024

4. RULE 26(a)(2) EXPERT DISCLOSURES & REPORTS

DATE _____

Disclosures (subject and identity of experts)

- a. Party(ies) bearing burden of proof: 10/30/2024
- b. Counter disclosures: 12/06/2024

Reports

- a. Party(ies) bearing burden of proof: 12/30/2024
- b. Counter reports: 01/29/2025

5. OTHER DEADLINES

DATE _____

- | | | |
|----|--|-------------------|
| a. | Last day for expert discovery: | <u>02/28/2025</u> |
| b. | Deadline for filing dispositive or potentially dispositive motions: | <u>03/31/2025</u> |
| c. | Deadline for filing partial or complete motions to exclude expert testimony: | <u>03/14/2025</u> |

¹ Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

6. SCHEDULING CONFERENCE

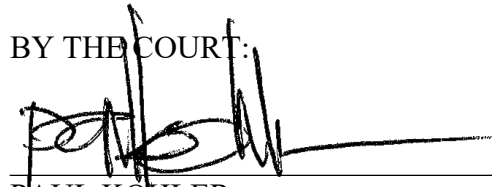
A scheduling conference will be held for purposes of setting a trial date on April 8, 2025, at 2:00 p.m., in Room 2B (St. George), before District Judge Allen.

7. OTHER MATTERS

Parties should fully brief all Motions in Limine well in advance of the pretrial conference.

SIGNED this 27th day of August, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Paul Kohler', is written over a horizontal line.

PAUL KOHLER
United States Magistrate Judge